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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

October 29, 1993

93-253

Mr. William F. Caton, Acting Secretary
Federal Communications Commission
Room 222
1919 M Street, N.W.
Washington, D.C. 20554

Dear Mr. Caton:

Enclosed you will find the comments from Wisconsin Wireless Communications Corporation pertinent to the Notice of Proposed Rule Making in the matter of implementations of Section 309(J) of the Communications Act on competitive bidding.

These comments are submitted respectfully, realizing there are many parochial positions being sought by prospective bidders. Our comments favor a final order that would give Small Business, Minority, Woman Owned Businesses and Rural Telcos a level playing field to play on as to securing permanent licenses. This is a golden moment of opportunity for this group of bidders if the rules are favorable.

Thank you for your consideration.

A handwritten signature in dark ink, appearing to read 'George Benson', is written over the printed name and title.

George Benson
C.E.O.

CC: Joshua I. Smith, Chairman
Small Business Advisory Committee (FCC)

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**Comments on Notice of Proposed Rule Making
PP Docket No. 93-253**

Paragraph 31 - Classes of licenses could be determined for both A, B, and C channels as to being network services or special applications. In the 10 MHz channels D, E, F, and G licenses could be for combined bidding for network services or stand alone. 10 MHz licenses for predetermined principle uses or applications.

Paragraph 32 - Same as for 31 and we support the theory of service for paying subscribers to be auctioned by class of license.

Paragraph 40 (footnote 27) - Bidders should be able to bid for a stand alone license as well as a combinal bid if they are a qualified Small Business, Woman Owned or Minority Owned bidder and pay deposits.

Paragraph 47 - We support sealed group bids and oral bids for individual licenses.

Paragraph 50 - We support this paragraph and believe experimental license holders should get credit as well as those organizations showing technical competence, i.e. innovative special applications.

Paragraph 52 - We support sequential bidding. MTA's first across all geographic areas, then C Channel 20 MHz, then 10 MHz channels. This allows Small Business, Women Owned and Minority Owned who are partnering to be best positioned to secure a license in their home area, individually or as a consortium member.

Paragraph 53 - We disagree on bidding in descending order of population. This would negatively affect small businesses and favor large companies.

Paragraph 54 - We support as in paragraph 54.

Paragraph 57 - We support if done in same manner as we recommend in paragraph 52, i.e. 30 MHz first, etc. Also, we question how grouping could take place - geographic, type of group, i.e. Small Businees, Minority and Woman Owned Companies and Rural Telcos.

Paragraph 58 - We agree.

Paragraph 64 - We agree.

Paragraph 68 - We agree. Also, we would recommend that a balloon payment or payments in year 4 or 3, 4 and 5 be considered for Small Business, Woman Owned or Minority Owned Companies.

Paragraph 71 - We agree and feel treatment for default could be treated as follows:

1. Give a 3 - 6 month cure period.
2. If not cured, make provisions to resell to previous second highest bidder.
3. If second highest bidder declines - open a re-bid process.

We also agree with the SBAC, distress sale concept.

Paragraph 74 - We agree. Also, allow combinal bidding for groups covering the gamut of Small, Minority and Women Owned Businesses.

Paragraph 75 - We disagree, i.e. Cox Communications - size of business should still be a consideration.

Paragraph 77 - We agree if it's by SIC code. Rural Telcos should be confined to their operating territories for preference purposes. Also, Minority and Women Owned should be by control not 50.1%.

Paragraph 78 - Allow for Small Business, Woman and Minority Owned Business and Rural Telcos consortia with controlling interests - allow some non-qualified members, i.e. 20%.

Paragraph 84 - Stipulate a three year hold period on licenses with performance criteria.

Paragraph 85 - We agree.

Paragraph 93 - We agree and suggest AWCC is an example of such consortia. (AWCC is a consortium being formed by Small, Woman and Minority Owned Businesses and Rural Telcos).

Paragraph 97 - We propose that only the short application be required at the time of auction.

Paragraph 100 - We propose that the long form should be filed and reviewed after the auction with an opportunity to resubmit for corrections.

Paragraph 101 - We agree with minor ownership modifications.

Paragraph 103 - We think upfront payment should be high enough to keep out speculation, but still work for small business groups and possibly with an exemption or reduced fee.

Paragraph 108 - We agree with the 60 days.

Paragraph 121 - We believe strongly that designated entities consortia should have the same preference as individual designated entity bidders.

Paragraph 123 - Combinatorial bidding should be permitted by set aside groups as well as the right to bid individually.

Paragraph 167 - We agree.

Paragraph 168 - We agree.